

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Karl Shaw
120 Marconi Blvd.
Columbus, Ohio 43215,

Plaintiff,

VS.

**City of Columbus,
Division of Police
120 Marconi Blvd.
Columbus, Ohio 43215,**

and

**Kimberley Jacobs, Chief
Columbus Division of Police
120 Marconi Blvd.
Columbus, Ohio 43215,**

Defendants.

Case No. _____

Judge _____

Magistrate _____

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants the City of Columbus and Kimberley Jacobs hereby give notice of the removal of this action from the Court of Common Pleas, Franklin County, Ohio Case No. 18-cv-3229 to the United States District Court for the Southern District of Ohio, Eastern Division, on the following facts:

1. Attached as Exhibit A is a Complaint that the Plaintiff filed in the Court of Common Pleas, Franklin County, Ohio on April 17, 2018. The Complaint asserts claimed under 42 U.S.C. § 2000e, within the federal question jurisdiction of this Court.

2. Defendants the City of Columbus and Kimberley Jacobs were served with a summons and copy of the Complaint on April 23, 2018.
3. The Complaint alleges that the Plaintiff was subject to race discrimination and retaliation in violation of 42 U.S.C. § 2000e. He alleges that he was denied open assignments due to his race and in retaliation for participated in protected activity.
4. This action is a civil action of which this Court has original jurisdiction because Plaintiff's Complaint raises claims within the federal question jurisdiction of this Court under 28 U.S.C. § 1331, specifically his claim under 42 U.S.C. § 2000e.
5. This action may be removed to and adjudicated by this Court, pursuant to 28 U.S.C. §§ 1441 and 1446, because this civil action arises under the laws of the United States.
6. This Notice of Removal is filed and subject to and with full reservation of rights, including but not limited to defenses and objections to venue, improper service of process, and personal jurisdiction. No admission of act, law, or liability is intended by this Notice of Removal, and all defenses, motions, and pleas are expressly reserved.
7. This Notice of Removal was filed within 30 days of actual notice and receipt by the Defendants of the Summons and Complaint.
8. As required by 28 U.S.C. § 1446(d), a Notice of Filing of Removal directed to the state court, the Franklin County Common Pleas Court, along with this notice will be promptly filed in the Court of Common Pleas, Franklin County, Ohio. A true and accurate copy of Defendants' Notice of Removal Directed to State Court is attached hereto as Exhibit B.

9. To the extent Plaintiff's Complaint sets forth claims under state law, such claims are within this Court's supplemental jurisdiction under 28 U.S.C. § 1367(a).

WHEREFORE, Defendants City of Columbus and Kimberley Jacobs respectfully request that this matter be removed to the Southern District of Ohio, Eastern Division, and that all proceedings herein be conducted in the United States District Court for the Southern District of Ohio, Eastern Division.

Respectfully submitted,

**CITY OF COLUMBUS, DEPARTMENT OF LAW
ZACH KLEIN**

/s/ Richard N. Coglianese

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Removal has been served by operation of this Court's electronic filing system, this 16th day of May 2018 on the following:

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/s/ Richard N. Coglianese

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